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March 19, 2007

By Facsimile (571 273-6500)

Mail Stop 16  
Director of the US Patent and Trademark Office  
PO Box 1450  
Alexandria, VA 22313-1450

Re: U.S. Patent Application No.: 10/003,198  
Filed: October 31, 2001  
Title: *Measurement Device*  
Our Ref. No.: ERDF 22.464 (335981-00001)  
USPTO Deposit Account No.: 50-1290

Dear Sir or Madam:

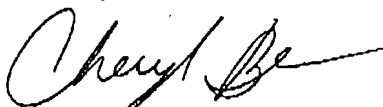
On March 5, 2007 we filed a Request for Continued Examination for the above referenced patent application, which is a "small entity". We were charged \$790 instead of the small entity fee of \$395.

Attached is a copy of the "Bib Data Sheet" which states that the application has small entity status. Please note that the original application was filed by another law firm prior to our having taken over the case.

Please refund our Deposit Account No. 50-1290 the "large entity" fee of \$790 and charge the "small entity" fee of \$395 to the same Deposit Account.

If there is any other documentation that you require, please contact me.

Sincerely,



Cheryl Blum  
Legal Assistant

Enclosure

NEW YORK CHARLOTTE CHICAGO IRVING LONDON LOS ANGELES PALM ALTO WASHINGTON, DC WWW.KATTENLAW.COM

LONDON AFFILIATE: KATTEN MUCHIN ROSENMAN CORNISH LLP

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1. Deposit Account Branch	USPTO	571 273-6300	

<b>Date</b>	<b>Client/Matter Number</b>
March 19, 2007	335981-00001
<b>From</b>	<b>Attorney Number</b>
Cheryl Blum	02467
<b>Phone</b>	<b>Fax</b>
212.940.8954	212.940.8986

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Approved for use through 07/31/2006. OMB 0651-0031

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# Request For Continued Examination (RCE) Transmittal

Address to:  
 Mail Stop RCE  
 Commissioner for Patents  
 P.O. Box 1450  
 Alexandria, VA 22313-1450

Application Number	10/003,198
Filing Date	October 31, 2001
First Named Inventor	Jeffrey A. ERDFARB
Art Unit	2859
Examiner Name	Amy R. Cohen
Attorney Docket Number	ERDF 22.464 (335981-00001)

This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application. Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.

1. **Submission required under 37 CFR 1.114** Note: If the RCE is proper, any previously filed unentered amendments and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such amendment(s).

a. ☐ Previously submitted. If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.

i. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on \_\_\_\_\_

ii. ☐ Other \_\_\_\_\_

b. ☒ Enclosed

i. ☒ Amendment/Reply

ii. ☐ Affidavit(s)/ Declaration(s)

iii. ☐ Information Disclosure Statement (IDS)

iv. ☐ Other \_\_\_\_\_

## 2. Miscellaneous

a. ☐ Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a period of \_\_\_\_\_ months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(i) required)

b. ☐ Other \_\_\_\_\_

## 3. Fees

The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed. The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 50-1290

i. ☒ RCE fee required under 37 CFR 1.17(e)

ii. ☐ Extension of time fee (37 CFR 1.136 and 1.17)

iii. ☐ Other \_\_\_\_\_

b. ☐ Check in the amount of \$ \_\_\_\_\_ enclosed

c. ☐ Payment by credit card (Form PTO-2038 enclosed)

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Name (Print/Type)	Nathan Weber	Registration No. (Attorney/Agent)	150,958
Signature	<i>[Signature]</i>	Date	March 2, 2007

## CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 or facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below.

Name (Print/Type)	Frances Davies	Date	March 2, 2007
Signature	<i>[Signature]</i>		

This collection of information is required by 37 CFR 1.114. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-0199 and select option 2.

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